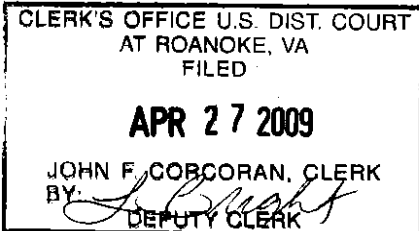


IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION



KENNETH EDWARD BARBOUR,  
Plaintiff,

v.

VIRGINIA DEPARTMENT OF  
CORRECTIONS,  
Defendant.

Civil Action No.7:09-cv-00135

**ORDER**

By: Hon. James C. Turk  
Senior United States District Judge

In accordance with the written memorandum opinion entered this day, it is hereby

**ORDERED**

that plaintiff's request to proceed in forma pauperis without prepayment of the filing fee is **DENIED**; the action is **STAYED**; and if plaintiff does not prepay the \$350.00 filing fee for this action within ten (10) business days from the date of this order, the action will be **DISMISSED** without prejudice, pursuant to 28 U.S.C. § 1915(g).

The Clerk is directed to send certified copies of this order and the accompanying memorandum opinion to the plaintiff.

ENTER: This 27<sup>th</sup> day of April, 2009.

*[Signature]*  
Senior United States District Judge